

SENATE BILL NO. 1316

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Bill Status

S1316.....by EDUCATION
PUBLIC SCHOOLS - Adds to existing law relating to educational interpreters and public schools to provide a short title; to provide legislative findings; to define terms; to provide for qualifications for educational interpreters; to provide exceptions; to provide for continuing training requirements; and to provide the State Board of Education with rulemaking authority.

01/27 Senate intro - 1st rdg - to printing

01/30 Rpt prt - to Educ

02/09 Rpt out - rec d/p - to 2nd rdg

02/10 2nd rdg - to 3rd rdg

02/21 3rd rdg - PASSED - 35-0-0

AYES -- Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams

NAYS -- None

Absent and excused -- None

Floor Sponsor - Jorgenson

Title apvd - to House

02/22 House intro - 1st rdg - to Educ

03/01 Rpt out - rec d/p - to 2nd rdg

03/02 2nd rdg - to 3rd rdg

03/15 3rd rdg - PASSED - 56-4-10

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmundson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail

NAYS -- Barrett, McKague, Sali, Wood

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood,

Henbest, Ring, Sayler, Wills, Mr. Speaker
Floor Sponsor - Pence
Title apvd - to Senate
03/16 To enrol
03/17 Rpt enrol - Pres signed - Sp signed
03/20 To Governor
03/23 Governor signed
Session Law Chapter 173
Effective: 07/01/06

Bill Text

|||| LEGISLATURE OF THE STATE OF IDAHO ||||
Fifty-eighth Legislature Second Regular Session - 2006

IN THE SENATE

SENATE BILL NO. 1316

BY EDUCATION COMMITTEE

1 AN ACT

2 RELATING TO PUBLIC SCHOOLS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF
3 A NEW CHAPTER 13, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PRO-
4 VIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE FOR QUALIFICATIONS
5 FOR EDUCATIONAL INTERPRETERS, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR CON-
6 TINUING TRAINING REQUIREMENTS, AND TO PROVIDE THE STATE BOARD OF EDUCATION
7 WITH RULEMAKING AUTHORITY.

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended
10 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
11 ter 13, Title 33, Idaho Code, and to read as follows:

12 CHAPTER 13
13 EDUCATIONAL INTERPRETERS

14 33-1301. SHORT TITLE. This chapter shall be known and may be cited as the
15 "Idaho Educational Interpreter Act."

16 33-1302. LEGISLATIVE FINDINGS. The legislature hereby finds that inter-
17 preting services in Idaho public schools, kindergarten through grade twelve
18 (12), for students who are deaf, hard of hearing or deaf-blind need to be
19 improved. The absence of state standards for evaluating educational interpret-
20 ers allows for inconsistencies in the delivery of educational information to
21 students who are in need of such services. The legislature recognizes that
22 educational interpreters in Idaho public schools must not only interpret the
23 spoken word but must also convey concepts and facilitate the student's under-
24 standing of the educational material. The legislature also finds that among
25 the many factors that influence student success, there is a correlation

between the academic achievements of deaf, hard of hearing and deaf-blind students and the competency of their interpreters. Therefore, the legislature finds that Idaho educational public policy is served by establishing standards for persons employed in the Idaho public schools as educational interpreters.

33-1303. DEFINITIONS. The following words and phrases used in this chapter are defined as follows:

- (1) "Board" means the state board of education.
- (2) "Deaf" means a person who is not able to process information aurally and whose primary means of communication is visual.
- (3) "Deaf-blind" means a person who is deaf or hard of hearing and who also has significant visual impairment or is legally blind.
- (4) "Educational interpreter" means a person employed in the Idaho public schools, kindergarten through grade twelve (12), to provide interpreting services to students who are deaf, hard of hearing or deaf-blind.
- (5) "Educational interpreter performance assessment" means a

2

statistically valid and reliable assessment tool administered by the boys town national research hospital or its successor organization.

(6) "Hard of hearing" means a person who has a hearing deficit, who is able to process information aurally with or without the use of a hearing aid or other device that enhances the ability of the person to hear, and whose primary means of communication may be visual.

(7) "Interpreter education program" means a postsecondary degree program of at least two (2) years in duration that is accredited by the state board of education or an equivalent program accredited by another state, district or territory or by a professional accreditation body.

(8) "Interpreting" means the process of providing accessible communication between and among persons who are deaf, hard of hearing or deaf-blind, and those who are hearing. The process includes, but is not limited to, communication between American sign language or other form of manual communication and English. The process may also involve various other modalities that involve visual, gestural and tactile methods.

33-1304. QUALIFICATION OF EDUCATIONAL INTERPRETERS. (1) Except as provided in this section, no person shall act as an educational interpreter in an Idaho public school unless the person has been qualified to do so. The person shall be qualified if the person:

- (a) Has achieved a score of 3.5 or higher on the educational interpreter performance assessment or has achieved a comparable score on an equivalent test as determined by the board; or
- (b) Is currently certified by:
 - (i) The registry of interpreters for the deaf;
 - (ii) The national association of the deaf at a level of III or higher;
 - (iii) The registry of interpreters for the deaf, oral transliteration for oral transliterators; or
 - (iv) The testing, evaluation, and certification unit for cued language transliterators.
- (2) An educational interpreter currently employed in an Idaho public school may continue in the practice of educational interpreting without meeting the requirements of subsection (1) of this section, provided that such requirements are met on or before June 30, 2009.
- (3) Effective July 1, 2009, newly-hired educational interpreters, who have not worked in an Idaho public school as an educational interpreter in

38 kindergarten through grade twelve (12) prior to the enactment of this chapter,
39 may apply in writing to the board for emergency authorization to work as an
40 educational interpreter for two (2) years before being required to meet the
41 requirements of subsection (1) of this section. An education interpreter who
42 has received an emergency authorization under this subsection (3) may apply in
43 writing to the board for a one-time, one (1) year extension of the emergency
44 authorization. The board may grant such a one (1) year extension of the emer-
45 gency authorization for good cause shown.

46 (4) A graduate of an interpreter education program may serve as an educa-
47 tional interpreter in Idaho public schools, kindergarten through grade twelve
48 (12) before meeting the requirements of subsection (1) of this section for one
49 (1) year following such graduation.

50 (5) Educational interpreters employed by an Idaho public school in kin-
51 dergarten through grade twelve (12) must complete a minimum of eighty (80)
52 hours of training in the areas of interpreting or transliterating every five
53 (5) years. This training must be documented and may include home study
54 coursework, seminars, workshops and mentoring programs.

3

1 (6) The board is authorized to promulgate rules necessary to implement
2 this chapter.

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

RS 15791

The purpose of this legislation is to create minimum standards for K-12 educational interpreters serving deaf or hard-of-hearing students. Currently, Idaho code contains no minimum standards to ensure that K-12 educational interpreters meet any level of competency. Furthermore, school administrators have no standard measurement on which to base hiring decisions. Deaf and hard-of-hearing students are entitled to a free and appropriate public education in the least restrictive environment. Unfortunately, many of these students in Idaho are not receiving equal access to classroom communication due to the inadequacy of their interpreters. This legislation will address an urgent need for deaf and hard-of-hearing students to have some guarantee that their interpreters meet a minimum level of competency.

FISCAL IMPACT

This legislation does not seek a separate appropriation above that which the State is already spending.

Contact

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STATEMENT OF PURPOSE/FISCAL NOTE

S 1316